

Bradford J. Sandler (NY Bar No. 4499877)
Ilan D. Scharf, Esq. (NY Bar No. 4042107)
Jason S. Pomerantz, Esq. (CA Bar No. 157216)
PACHULSKI STANG ZIEHL & JONES LLP
780 Third Avenue, 34th Floor
New York, New York 10017
Telephone: (212) 561-7700
Facsimile: (212) 561-7777

Counsel to Plaintiff RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:

ROCHESTER DRUG CO-OPERATIVE, INC.

Debtor.

Chapter 11

Case No. 20-20230 (PRW)

Advisory Trust Group, LLC, as trustee of the RDC
LIQUIDATING TRUST,

Plaintiff,

v.

JOM PHARMACEUTICAL SERVICES INC., a/k/a/
JANSSEN PHARMACEUTICALS; JOM
PHARMACEUTICAL SERVICES INC. d/b/a/
JANSSEN PHARMACEUTICA, L.P.,

Defendants.

Adv. Proc. No. 22-02020-PRW

THIRD STIPULATION EXTENDING TIME TO ANSWER COMPLAINT

Plaintiff, RDC Liquidating Trust, through its trustee Advisory Trust Group, LLC (“Plaintiff” or the “RDC Liquidating Trust”), successor in interest to Rochester Drug Co-Operative, Inc. (“Debtor”), and defendant, JOM Pharmaceutical Services, Inc., erroneously sued herein as a/k/a or d/b/a Janssen Pharmaceuticals and Janssen Pharmaceutical, L.P. (“Defendant” and, together with Plaintiff, the “Parties”), by and through their undersigned attorneys, hereby stipulate and agree:

WHEREAS, on February 3, 2022, Plaintiff filed a complaint (the “Complaint”) against Defendant;

WHEREAS, the summons (the “Summons”) was issued on February 4, 2022;

WHEREAS, on February 4, 2022, Defendant was served with the Summons and Complaint; and

WHEREAS, on February 28, 2022, the Parties entered into a stipulation (the “First Stipulation”) by which the time required for Defendant to answer the Complaint was extended through and including April 15, 2022. The First Stipulation was approved by order entered March 1, 2022.

WHEREAS, on March 23, 2022, the Parties entered into a stipulation (the “Second Stipulation”) by which the time required for Defendant to answer the Complaint was further extended through and including June 15, 2022. The Second Stipulation was approved by order entered March 24, 2022.

The Parties hereby stipulate and agree to the matters set forth below:

1. The Parties continue to negotiate and exchange information and have agreed, subject to Court approval, to further extend the time for the Defendant to answer the Complaint to and including October 14, 2022.

[Remainder of Page Intentionally Left Blank]

2. All other terms set forth in the First Stipulation and Second Stipulation remain in full force and effect.

Dated: May 10, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Ilan D. Scharf

Ilan D. Scharf (NY Bar No. 4042107)

Jason S. Pomerantz (CA Bar No. 157216)

780 Third Avenue, 34th Floor

New York, NY 10017

Telephone: (212) 561-7700

Email: ischarf@pszjlaw.com

jspomerantz@pszjlaw.com

Counsel to Plaintiff RDC Liquidating Trust

SO ORDERED:

DATED: _____, 2022

Rochester, New York

Dated: May 4, 2022

PATTERSON BELKNAP WEBB & TYLER LLP



David W. Dykhous (NY Bar No. 1080449)

Kimberly Black (NY Bar No. 5569124)

1133 Avenue of the Americas

New York, New York 10036-6710

Telephone: (212) 336-2850

Facsimile: (212) 336-2852

Email: dwdykhous@pbwt.com

kblack@pbwt.com

Counsel to Defendant JOM Pharmaceutical Services, Inc.

HON. PAUL R. WARREN

United States Bankruptcy Judge